

Appl. No. 09/938,085  
Amdt. Dated September 16, 2005  
Reply to Office action of June 17, 2005  
Attorney Docket No. P14463US1  
EUS/J/P/05-3215

### **REMARKS/ARGUMENTS**

#### **Claim Amendments**

The Applicant has not amended any of the claims. Accordingly, claims 1-18 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

#### **Claim Rejections – 35 U.S.C. § 102 (e)**

Claims 1, 4, 9, 12, 14, and 17 stand rejected under 35 U.S.C. § 103(a) as being anticipated by O'Flaherty (US 6275824). The Applicant respectfully traverses the rejection of these claims.

The Applicant's invention claims a method of maintaining a user's privacy while communicating with an origin server from a node associated with the user. Essentially, a first profile stored in the node, having minimal or no pertinent Capabilities and Preference Information (CPI) regarding the user, is transmitted to an origin server as a first step in determining the privacy policies of the server (CPI comprises data that may be considered private and that the user would prefer not be revealed through the use of for instance a wireless connection to the Internet). The first profile is provided to the origin server to determine if the privacy policy of the origin server is acceptable to the user. If so, a second profile containing more detailed, even complete, CPI is provided so as to open a communications session with the origin server.

The O'Flaherty reference appears to disclose a method and apparatus for managing data privacy in a database management system (dbms). A database is disclosed whose data content is linked to profiles associated with the data but the profiles don't identify the client so as to protect the privacy of the individual client whose data may be accessed. The dbms is depicted as associated with a secure data warehouse containing the data and the client profiles. The warehouse provides metadata dataviews that provide for individual customer privacy preferences when the customers mine the secure data. Data is stored in a persistent base table (extended database) and the dataview's rows are derived from the base table and operations can be performed against the dataviews as if the rows were in the base

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table. A client interface module, depicted as being part of the data warehouse, provides access to client data stored in the extended database (containing data accessible only by the customer through dataviews). In summary, O'Flaherty stores secure client privacy parameters, associated with data in a secure database, for storing and retrieving data from a plurality of database tables wherein the data in the database tables is controllably accessible according to privacy parameters stored in the database table.

As noted above, the Applicant's invention generates an initial profile for establishing a connection to an origin server to determine whether the privacy policies of the server are acceptable. O'Flaherty provides for customers, not associated with the client profiles to have access to the data but not to the actual identity of the client whose information is stored in the database; just the profile. On the one hand, the Applicant's invention provides a means to establish communications with an origin server having privacy policies acceptable to a user and on the other hand, O'Flaherty provides a database for data mining with the data linked to the profiles, not the identity, of the clients associated with the data.

O'Flaherty fails to provide a minimal user profile for an initial connection and also fails to provide a means for determining if the user and the server have compatible privacy policies. The O'Flaherty reference provides data linked to unidentified profiles, so there is no initial interrogation from the user about privacy profile to determine if the server meets the privacy preferences of a user. This being the case, O'Flaherty does not anticipate the present invention and the Applicant respectfully requests the withdrawal of claim 1 and dependent claim 4.

Claims 9 and 14 are analogous to claim one and contain similar limitations and the Applicant respectfully requests the withdrawal of these claims and the respective dependent claims 12 and 17.

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### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 2, 5, 6, 13 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Flaherty in view of Leppinen (US 6735186). The Applicant respectfully traverses the rejection of these claims.

The Leppinen reference appears to disclose caching a profile in a WAP gateway and the Detailed Action relies on the teaching of Leppinen to overcome the deficiencies of O'Flaherty, which lacks caching a profile in a WAP gateway. More specifically, the Office Action asserts that the Leppinen reference sends a profile to a WAP gateway to help establish a WSP session.

The Applicant respectfully submits that the Leppinen reference fails to disclose at least the limitations of sending a first, minimal user profile to establish compatibility of an origin server's privacy policies with the user's privacy policy and then sending a second more complete profile. These limitations are recited in Applicant's claim 1 and analogous limitations are recited in claims 6, 9 and 14. Thus, claims 1, 6, 9 and 14 and all claims dependent therefrom (claims 2, 5, 13 and 18) are distinguishable from the Leppinen reference and a withdrawal of the rejection of these claims is respectfully requested.

Claims 3, 10, 11, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Flaherty in view of Barrett (US 6581059). The Applicant respectfully traverses the rejection of these claims.

The Barrett reference appears to disclose a system for providing personal information and information preferences associated with the personal information database. A database with personal information is made available to a requestor, according to an identifier, the information being requested and the conditions under which the information is to be used. Barrett's system is concerned with providing information from a database only to requestors that satisfy certain parameters before making the information available.

The Barrett reference is cited for teaching providing personal information to an origin server in response to a request from the server (Col. 6, lines 19-45). This step is

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a feature of Barrett and not of the present invention. In contrast to Barrett, the present invention initiates contact with the origin server using a limited profile and the user requests the privacy policies of the server, not the server requesting personal information from the user. As disclosed in Barrett, the server determines whether the user is cleared for retrieving information from the server. As claimed in the subject claims, the user requests the policy files from the server and the user compares the privacy policies of the server to the preferences of the user before sending the second profile.

Respectfully, the Barrett reference also does not disclose the limitations lacking in O'Flaherty and found in independent claims 1, 9 and 14. This being the case, these limitations, which are recited in claims 3, 10, 11, 15 and 16 are also not disclosed by Barrett. This being the case, the Applicant respectfully requests the withdrawal of the rejection of these claims.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Flaherty in view of Leppinen as applied to claims 2, 5, 6, 13 and 18 above, and further in view of Barrett (US 6581059). The Applicant respectfully traverses the rejection of these claims.

As discussed above neither O'Flaherty, Lepinen nor Barrett disclose the use of a minimal user profile to initiate a session between a user and an origin server and upon a satisfactory response from the server providing a more complete user profile if the server policy meets the preferences of the user. This being the case, the Applicant respectfully requests the withdrawal of the rejection of these claims.

#### **Prior Art Not Relied Upon**

In paragraph 1 on page 11 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.


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### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

  
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